

REMARKS

By the present amendment, claims 98, 100 and 106 have been amended and claims 101, 102 and 105 have been canceled. Claims 107 and 108 have been added. Claims 1-97 were previously canceled.

Claims 98-100, 103, 104 and 106-108 are currently pending in the application. Reconsideration and allowance of all of the claims is respectfully requested in view of the following remarks.

In regard to Rejection of Claims 98 and 99 for double patenting

The Examiner has rejected claims 98 and 99 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 54 and 55 of U.S. Patent No. 6,398,511.

The Applicants are filing herewith a terminal disclaimer, by which they disclaim the remaining term of any patent issuing from the present application after the expiry of U.S. Patent No. 6,398,511.

As a result of this terminal disclaimer, the Applicants believe that the Examiner's rejection has been overcome and should be withdrawn.

In regard to Rejection of Claims 98 and 99 Under 35 U.S.C. § 102(b)

The Examiner has rejected claims 98 and 99 under 35 U.S.C. § 102(b) as being anticipated by Cook, U.S. Patent No. 4,682,801. The Applicants believe this rejection has been addressed and overcome by the present amendment.

In response to the Examiner's remarks, the Applicants have amended claim 98.

The Examiner's attention is directed to the following feature of claim 98 as amended:

(b) displacing the pumping assembly from an initial position via, at least in part, the energizing of the coil assembly, thereby causing a first pumping motion;

The Applicants submit that at least the above feature of claim 98 as amended is not taught by Cook.

Referring to lines 64-2 of columns 1-2 of Cook,

principal objects of the present invention are to overcome these problems as outlined above, and avoid the sticking which is characteristic of residual magnetism, suppressing inductive kick-back to avoid the damage of associated electronic equipment, and to greatly increase the release speed for electromagnetic door locks.

Referring also to Figures 1 and 2 of Cook, it is apparent that Cook teaches a magnetic door lock designed to hold a door closed while the magnet is energized, and release the door when power to the magnet is cut off. Cook makes no mention of an electrical circuit displacing a pumping assembly or causing the motion of any component. As such, the energizing of the magnet coil 12 of Cook does not displace a pumping assembly from an initial position in response to the energizing of the coil assembly, nor does Cook cause a pumping motion. Therefore, Cook does not teach displacing a pumping assembly from an initial position in response to the energizing of a coil assembly, thereby causing a first pumping motion.

As such, at least one feature of claim 98 is not taught by Cook, and the Examiner is requested to withdraw his rejection of claim 98 and claim 99 depending therefrom.

In regard to Rejection of Claims 100-104 Under 35 U.S.C. § 102(b)

The Examiner has rejected claims 100-104 under 35 U.S.C. § 102(b) as being anticipated by Cook. The Applicants believe this rejection has been addressed and overcome by the present amendment.

Claims 101 and 102 have been canceled, and as such the Examiner's rejection is moot with respect thereto.

In response to the Examiner's remarks, the Applicants have amended claim 100.

The Examiner's attention is directed to the following feature of claim 100 as amended:

charging the capacitor from the coil,

The Applicants submit that at least the above feature of claim 100 as amended is not taught by Cook.

Referring to lines 12-21 of column 2 of Cook,

[w]hen the door lock circuit is energized, rectified voltage is applied both to charge a large capacitor and also to energize the electromagnet, both with the same voltage level. When the power to the circuit is cut off, [...] the large capacitor is reversed to discharge through the electromagnet precisely canceling residual magnetism.

It is apparent that when power is applied to the door lock circuit of Cook, the capacitor 52 of Cook is charged from the rectified voltage supplied by the dc power supply 36 of Cook. When the power to the door lock circuit of Cook is cut off, the capacitor 52 is discharged through the electromagnet 12. Cook does not teach charging the capacitor 52 from either the electromagnet 12 or from any other coil. Therefore, Cook does not teach charging a capacitor from a coil.

As such, at least one feature of claim 100 is not taught by Cook, and the Examiner is requested to withdraw his rejection of claim 100 and claims 103 and 104 depending therefrom.

In regard to Rejection of Claims 105 and 106 Under 35 U.S.C. § 102(b)

The Examiner has rejected claims 105 and 106 under 35 U.S.C. § 102(b) as being anticipated by Cook.

In response to the Examiner's remarks, claim 105 has been canceled. Claim 106 has been amended to depend from new claim 108. As such, the Examiner's rejection is moot and should be withdrawn.

Miscellaneous Amendments

By the present amendment, claim 98 has been amended to remove the expression "the steps of". This is believed to be a broadening amendment.

By the present amendment, claim 100 has been amended to replace the expression “a power source” with “the power source” to correct a minor error. No change in claim scope is intended or should be inferred.

By the present amendment, claim 107 has been added. Claim 107 is believed to be allowable in view of its dependency from claim 100, as well as for the additional features recited therein.

By the present amendment, claim 108 has been added. Claim 108 is believed to be allowable as it recites features not present in the prior art. In particular, “causing motion of a first portion of the fuel pump in a first linear direction via the current flowing in the first direction” is not taught by Cook.

By the present amendment, claim 106 has been amended to be consistent with claim 108, from which it now depends.

In view of the above amendments and remarks, the Applicant respectfully submits that all of the currently pending claims are allowable and that the entire application is in condition for allowance.

Should the Examiner believe that anything further is desirable to place the application in a better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

At the time of filing of the present response, the Office was authorized to charge the fees believed to be necessary to a credit card. In case of any under- or over-payment or should any additional fee be otherwise necessary, the Office is hereby authorized to credit or debit (as the case may be) Deposit Account number 502977.

Respectfully submitted,

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